

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
Pro Se [Non-Prisoner] Complaint Form

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2009 JAN -7 P 3:25

[Enter the full name of the plaintiff in this action]

BRIAN E. PELTIER

v.

[Enter the full name of each defendant in this action. If possible, please list only one defendant per line.]

- 1) JOBE C. METTS, MD.;
- 2) M.U.S.C.;
- 3) TEVET SOUTH CAROLINA - d/b/a
EAST COOPER REGIONAL MENTAL CTR.;
- 4) UNIVERSITY MEDICAL ASSOCIATES;
- 5) J.C. NICHOLSON, JR.; CIRCUIT
COURT JUDGE STATE OF S.C.;
- 6) FLORIDA MEDICAL DEVELOPMENT, INC.;
- 7) SANDRA J. SEW;
- 8) ROBIN L. JACKSON;

) Civil Action No.

) 2:09-44-DCN-RSC

) (to be assigned by Clerk)

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9) THE LAW FIRM OF SANDRA J. SEW

10) ROBERT H. HOOD, JR.;

11) HOOD LAW FIRM, LLC;

12) LINDSAY K. SMITH-YARKEY;

13) DOUGLAS PRATT-THOMAS;

14) THE LAW FIRM OF PRATT-THOMAS-WALKER;

15) HUGH W. BUYCK;

16) DARREN K. SANDERS;

17) THE BUYCK LAW FIRM;

18) ALL DEFENDANTS INSURANCE COMPANIES,
(T/B/D @ DISCOVERY PHASE OF THIS TRIAL).

If allowed by statute, do you wish to have a trial by jury? Yes ☒ No ☐

[If any answer requires additional space, please use additional paper and attach hereto.]

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action? **(RELATED)**

Yes ☒ No ☐

B. If your answer to A is Yes, describe the lawsuit in the space below. [If more than one lawsuit, describe on another sheet of paper using the same outline.]

1. Parties to this previous lawsuit:

Plaintiff: BRIAN E. PELTIER

Defendant(s): JOB E. METS, ETAL.
☒ US DISTRICT COURT OF S.C.

2. Court: ☒ CHARLESTON COUNTY COURT OF COMMON PLEAS
 (If federal court, name the district; if state court, name the county)

☒ CASE # 2:04-CV-22312-DCN
 3. Docket Number: ☒ CASE # 2005-CP-10-3827
☒ JUDGE DAVID C. NORTON

4. Name(s) of Judge(s) to whom case was assigned: ☒ HONORABLE J.C. NICHOLSON JR.

☒ JUDGE METS GRANTING DEFENDANTS MOTION TO DISMISS
 5. Status of Case: ☒ DISMISSED AND ADJUDICATED

(For example, was the case dismissed? Settled? Appealed? Still Pending?)

☒ 9/22/04
 6. Date lawsuit was filed: ☒ 9/23/05

☒ 4/21/05
 7. Date of disposition (if concluded): ☒ 6/14/07

C. Do you have any other lawsuit(s) pending in the federal court in South Carolina?

Yes _____ No ☒

II. PARTIES

In Item A below, place your name and address in the space provided. [If additional plaintiffs, do the same on another sheet of paper.]

A. Name of Plaintiff: BRIAN E. PELTIER

Address: 25-b BEVERLY ROAD CHARLESTON, S.C. 29407

In Item B below, place the full name of the defendant, and his/her/its address, in the space provided. Use Item C for additional defendants, if any.

B. Name of Defendant: ☒ J.C. NICHOLSON, JR., S.C. CIRCUIT COURT JUDGE

Address: P.O. Box 8002 100 S. MAIN STREET ANDERSON, S.C. 29622

C. Additional Defendants (provide the same information for each defendant as listed in Item B above):

- ② JOBE C. METS 1110 BROOKSIDE DR. WILSON, N.C. 27896
ROBIN L. JACKSON
- ③ SANDRA J. SEW 3 WESLEY DR. CHARLESTON SC 29407 P.O. Box 1127
U.M.A. UNIVERSITY MEDICAL ASSOC.
- ④ HUGH BUCKLE DALLIE SANDERS 129 BROAD ST P.O. Box 630 CHARLESTON, SC. 29408
EAST COOPER REGIONAL HOSPITAL- TENET SOUTH CAROLINA
- ⑤ DOUGLAS POST-MAHMS LINDSAY K SMITH-YARKEY 16 CHARLOTTE ST. CHARLESTON, SC. 29403
FLORIDA MEDICAL DEVELOPMENT
- ⑥ ROBERT H. HOD, JR. 172 MEETING ST P.O. Box 1508 CHARLESTON, SC. 29401

III. STATEMENT OF CLAIM

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include also the name(s) of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets of paper if necessary.

GENUINE ISSUES OF FACT (MATERIAL & OTHERWISE) EXIST AS TO WHETHER DEFENDANT PHYSICIAN JOBE C. METS WAS IN COMPLIANCE OF THE APPLICABLE STANDARDS OF DISCLOSURE PURSUANT TO THE DOCTRINES OF INFORMED CONSENT. NONE OF THE MATERIALITY STANDARDS OF INFORMED CONSENT WERE MET. PLAINTIFF IN THIS ACTION HAD NO KNOWLEDGE OF PHYSICIANS AND HOSPITAL EMPLOYMENT STATUS WITH STATE HOSPITAL ENTITY M.U.S.C. IT IS A WELL KNOWN AND ESTABLISHED FACT THAT EAST COOPER HOSPITAL IS A PRIVATE ENTERPRISE. THE FACTS ARE THAT NOT ONE SINGLE DOCUMENT EVER MAKES MENTION NOR ESTABLISHES M.U.S.C. TO PLAINTIFFS, PRIOR TO AND DURING DISCOVERY, INTURN FORMS (cont.)

III. STATEMENT OF CLAIM - continued.

PLAINTIFFS CASE OF FRAUD AGAINST ALL DEFENDANTS INVOLVED HEREIN THIS COMPLAINT. MEDICAD DOCUMENTS CLEARLY PROVE BEYOND A REASONABLE DOUBT THAT TENET HEALTHCARE SOUTH CAROLINA d/b/a EAST COOPER HOSPITAL WAS THE PROVIDER AND RECIPIENT OF THE SUM OF \$10,467.00. JOSE C. METS, M.D. (IN PERSONA) \$1813.37 AND CLEARLY NOT THAT OF M.U.S.C. THE DOCUMENTS OBTAINED FROM THE PLAINTIFFS ARE FROM THE SOUTH CAROLINA MEDICAD PROGRAMS ATTORNEY'S OFFICE AND WERE REVIEWED FROM DEPUTY GENERAL COUNSEL, RICHARD G. NEFFEN AT MEDICAD SURVEILLANCE IN COLUMBIA, SOUTH CAROLINA.

PLAINTIFF CONTENDS AND ASSERTS THE CLAIM OF "FRAUD" DUE TO THE DEFENDANTS DECEPTIVE AND FRAUDULENT PRACTICES. AS THE EVIDENCE CLEARLY SHOWS FROM EAST COOPER HOSPITAL, THERE WAS AGAIN NO KNOWLEDGE OR MENTION OF M.U.S.C., THUS PLAINTIFFS COMPLAINT IS ESTABLISHED. ADDITIONALLY CIRCUIT COURT OF S.C., JUDGE J.C. NICHOLSON JR. IS RESPONSIBLE FOR ADDITIONAL CLAIMS OF FRAUD, PROSECUTING AND CONVICTING DEFENDANTS BEHAVIORS AND ACTIONS ALSO FOR FEDERAL CLAIMS OF FRAUD AS AN ACTION ACTING IN A STATE ACTION OR ACTION UNDER COLOR OF STATE LAW.

IV. RELIEF.

④ State briefly and exactly what you want this court to do for you.

INJUNCTIVE RELIEF:

FOR BEING AND CONTINUING REPRISAL OF JUDGE J.C. NICHOLSON FOR THE CRIMINAL COURT WITH PREJUDICE AND MALFEASANCE. IN LIGHT OF THESE VIOLATIONS PLAINTIFF REQUESTS THIS INJUNCTIVE RELIEF AWHEN TO RESTORE THE STATUS QUO ANTE; THAT IS, TO MAKE THE PLAINTIFF WHERE AGAIN AS HIS RIGHTS HAVE BEEN VIOLATED. PLAINTIFF RESPECTFULLY ADDS THAT THIS

⑤ ACTION IS ESSENTIAL TO THE CONCEPT OF FAIRNESS.

COMPENSATORY RELIEF:

BASED UPON THE FOREGOING FACTS CONTAINED IN PLAINTIFF'S PLEADINGS AND COMPLAINT, PLAINTIFF PRAYS FOR COMPENSATORY DAMAGES IN THE AMOUNT OF TWENTY-FIVE MILLION DOLLARS.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 7th day of JANUARY, 2009.


Signature of Plaintiff

⑥ MAKE: PLAINTIFF RESPECTFULLY CONTENTS THAT THE FOREGOING FACTS INDICATE ACTIONS THAT THE DEFENDANTS BEHAVIORS CONSTITUTE WARDON, WILLFUL AND WICKED CONDUCT AND WERE DONE WILLFULLY AND MALEVOLENTLY TO PERSECUTE THE PLAINTIFF. PLAINTIFF HAS BEEN PHYSICALLY HARASSED, BATTERED AND THREATENED AS A RESULT OF THE INITIATION OF THESE CHARGES OUT THE DEFENDANTS.

⑦ PUNITIVE DAMAGES: BASED UPON THE FOREGOING PLEADED FACTS, PLAINTIFF PRAYS FOR PUNITIVE DAMAGES IN THE AMOUNT OF TWENTY-FIVE MILLION DOLLARS.